IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

WP(C).No. 22594 of 2007(M)

PETITIONER:

M.A.SUGATHAN,AGED 53,S/O.M.K.AYYAPPAN,
MALAPPURATH HOUSE,P.O KOLAZHI,TRISSUR.

BY ADV. SRI.P.GOPALAKRISHNA MENON
SRI.M.JITHESH MENON

RESPONDENTS:
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1. REGIONAL TRANSPORT AUTHORITY,TRISSUR.

2. THE SECRETARY,REGIONAL TRANSPORT AUTHORITY,THRISSUR.

BY GOVERNMENT PLEADER SRI.BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.22594/07

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE APPLICATION FOR REGULAR PERMIT FILED BY THE PETITIONER IN THE PRESCRIBED FORM P.ST.S.A. DT.22.5.06.

EXT.P2: TRUE COPY OF THE COVERING LETTER CONTAINING THE TIMINGS FILED BY THE PETITIONER DT.22.5.06.

EXT.P3: TRUE COPY OF THE ORDER OF THE IST RESPONDENT DT.10.7.06.

EXT.P4: TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DT.13.4.07.

//TRUE COPY//

ANTONY DOMINIC, J.
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W.P.(C) NO. 22594 OF 2007 M
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Dated this the 5th day of October, 2007

J U D G M E N T

Ext.P4 is the order passed by the 1st respondent rejecting the application made by the petitioner for regular permit on the ground that the petitioner was absent when the matter was taken up for consideration. It is now contended before me that initially the matter was considered by the 1st respondent on 10/7/06 and was adjourned. Thereafter, although there was one or two meetings of the RTA, this matter was not taken up for consideration. In any case the petitioner was not notified of the posting which resulted in Ext.P4.

2. Since the contention raised by the petitioner is unassailable, in my view, Ext.P4 has to be set aside for the reason that the petitioner was denied an opportunity to represent his case. Therefore, Ext.P4 will stand set aside. RTA will reconsider Ext.P1 application of the petitioner with notice and

after affording an opportunity of hearing to him. Orders as above shall be passed within six weeks of receipt of a copy of this judgment.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp